13.

AN ANSWER To those QUESTIONS Propounded by the PARLIAMENT TO THE Assembly of Divines,

Touching

JUS DIVINUM

In matter of Church-Government.

Wherein is clearly proved from Scripture, That the Presbyterial Government is *Jure Divino*, of Divine Institution, and according to the will and appointment of JESUS CHRIST.

Act. 14. 23. *When they had Ordained them Elders in every Church, and prayed with fasting, they commended them to the Lord, on whom they believed.*
Acts 5. 38, 39, 43. *And now I say unto you, refrain from those men and let them alone, for if this counsel or this work be of men, it will come to naught: but if it be of God, ye cannot overthrow it, lest haply ye be found to fight against God. And to him they all agreed, &c.*

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An Anſwer to thoſe queſtions propounded by the Parliament to the Aſſembly of Divines.

LEſt it ſhould be thought preſumption in any to undertake this work that are not of the Aſſembly, who alone were appointed for it, therefore I thought it needful to ſhew the Reader the Grounds and Reaſons that moved me to it: First, it hath been long expected that the Aſſembly ſhould give in their Anſwer, and becauſe it is not, many of the Presbyterians are diſheartned. Secondly, It hath cauſed others to contemn them, ſaying, The Aſſembly have now a Bone to pick. Thirdly, It hath cauſed many to turn to the Error of Eraſtus, *witneſſe the late Petition to the Parliament. Fourthly, I am confident Gods people will rejoyce, by whomſoever this work is done. For theſe cauſes I undertook it, not doubting, but it will give ſatisfaction to many, and be convincing to others.*

IRſt, I ſhall ſpeak a few words to the Preamble, wherein it is ſaid to be reſolved by both Houſes, That perſons guilty of Scandalous offences ſhould be ſuſpended from the Lords Supper, when as Chriſt alone is the King and Maſter of the Feaſt, and hath Church-Officers as his Deputies in the Church, whom he hath appointed to ſee and judge who are worthy and who are not, and to keep the Ordinances of Chriſt from pollution; for if any ſhall preſume to come, not having a Wedding garment, the King will ſay to his Servants the Miniſters, *Binde him hand and foot, and take him away, and caſt him into utter darkneſſe, there ſhall be weeping and gnaſhing of teeth*, Mat. 22.3 12,13. *Luke* 14 16,17. *Whatſoever ye ſhall binde on earth, ſhall be bound in heaven, and whatſoever ye ſhall looſe on earth ſhall be looſed in heaven*, Mat. 18.18. Iohn 20.23. But Magiſtrates are placed by Chriſt in his temporal Kingdom, and are called the Ordinance of man, 1 *Pet.* 2.13. and appointed to govern the State, and alſo by their poſitive Laws they are to be as a guide to the Church, and may be inſtruments of much good to it, ſo far as their poſitive Laws may reach about it, but not as ruling Officers in it, as ſhal more fully be ſhewn.

The firſt Queſtion is, *Whether the Parochial and Congregational*

Elderſhips appointed by Ordinance of Parliament, or any other Congregational or Presbyterial Elderſhips, are Iure Divino, *and by the will and appointment of Ieſus Chriſt, and whether any particular Church-Government be* Iure Divino, *and what that Government is?*

I Anſwer, If the firſt of theſe, the Parochial Congregational Elderſhip be underſtood, the Vicar or Curate, together with the Churchwardens and Sidemen in the Pariſh, being all under the Prelatical Government, & being neither Scripture Names nor Officers, but rather Antichriſtian Inventions, theſe cannot properly be called Elderſhips, ſeeing the Officers bear not the name of Elders, theſe have been proved by many to be rather Antichriſtian then *Iure Divino*; and ſeeing the main pillars of Antichriſt are tumbled down, theſe bearing his name, ſhall tumble down together with him, and I hope they need no further Anſwer.

The next thing conſiderable is, *Whether any other Congregational or Presbyterial Elderſhips are* Iure Divino, *and by the will and appointment of Ieſus Chriſt?* To the firſt of theſe I Anſwer Negatively, that there is no ſuch Church in Scripture as they call Independent, or Congregational Churches, and the proving of this will ſatisfie that their Congregational Elderſhips are not *Iure Divino*, of Divine Inſtitution, nor their Churches, but to be demoliſhed as the Prelatical, for *Who can bring a clean thing out of an unclean, not one,* Iob 14. 4.

I prove the point by this Argument, If there be no Church in Scripture belonging peculiarly to one man, as to *Peter*, *James*, or *John*, and to bear his name, to be called his Church, as being peculiarly by him gathered, as they ſay, into a Church-way, as the Independent Churches are both named and gathered, then Independent Churches are not of Divine Inſtitution, and if not their Churches, much leſſe their Elderſhips: But there is no ſuch Church in Scripture ſo gathered and ſo named: *Ergo* The Independent Church-way is of no Divine Inſtitution, much leſſe are their Elderſhips *Iure Divino*, or according to the will and appointment of Ieſus Chriſt.

The *major* part of the Propoſition I ſuppoſe all men will grant, and for the *minor* I ſhall prove, by taking a view of thoſe Scripture Churches, which they chiefly would have to be Independent, being of the firſt planting; firſt, that hundred and twenty names, *Acts* 1.15. ſome of them have affirmed to be an Independent Church or Congregation, becauſe, ſay they, that 120. names was made up both of men

men and women, *Acts* 1. 14. Therefore, say they, it was an Indedependent Church. To this I answer, Those women there mentioned were not of this company, for that were before this; and those men and women there spoken of was at prayer together, and it is very likely the cause of it was to seek the Lord for a Blessing upon this weighty businesse, which was the choyce of another Apostle in stead of *Judas*; for in those dayes it was said, That *Peter* stood up in the midst of the Disciples and said, *The number of names together were about an hundred and twenty, and he that is* Judas *was numbred with us; but since he by transgression fell, let another take his Office: Wherefore of those men, numbred to be an hundred and twenty together, which have accompanied us all the time that the Lord Jesus went in and out among us, from the Baptism of* John, *unto the same day that he was taken up from us, must one be Ordained to be a Witnesse with us of his Resurrection*, Ver. 21, 22. Hence I gather, That if the hundred and twenty names was all men, as *Peter* here affirms, then it was not that company that was at Prayer before for a Blessing upon this weighty businesse in the chusing of another Apostle in stead of *Judas*; then this was not a single Congregation, but it was the Officers were then assembled in a Presbytery, upon the choyce of another Apostle.

But then some of them say, *That hundred and twenty names was the Mother Church, out of which all other Christian Churches were to spring forth; therefore being the first it was Independent.* I Answ. If Independent Churches must have one as their Mother, out of which all other Independent Churches ought to spring forth, then I would know which of their Churches is that Mother Church; did Mr. *Burtons* Church descend out of Mr. *Goodwins*, or Mr. *Lockers* Church descend out of Mr. *Holms* his Church, or which is the Mother and which the Daughters?

But it may be they will say, *This Mother of Christian Churches did first Baptize them, and so leave them, not minding whether they were truly converted or not; but then after this there followed some that gathered after them none but the godly into their Congregations out of those Baptized before, and those alone were the true Churches, having the Kingly Office of Christ, and in a Church way, and not the other*; and thus our Independents do here: But then where is their proof for those things? No, the contrary is the truth: for when Three thousand was converted and became Christians

ſtians together, and all others when they became Chriſtians were added to the Church daily, *Acts* 2. 47. Then if Independents ſhould come after the Apoſtles to call for themſelves a Church, they muſt firſt unchurch them out of that where they were placed by the Apoſtles, and ſo when they have cut them off from being Members of Chriſt, they will prefer them to be their Members, and then promiſe them great priviledges, and Liberty of Conſcience to live as they liſt: But leſt I ſhould here make a digreſſion, I ſhall now prove that the number of names there ſpoken of, was not an Independent Congregation conſiſting of men and women, but a Presbytery of Church-Officers.

Firſt, If names in Scripture ſignifie Church-Officers, then that hundred and twenty names were Church-Officers, but the Saints having gotten victory over the Officers of Antichriſt, are ſaid to get victory over the number of his name, *Rev.* 14. 2. And when the Officers of Antichriſt ſhall be ſlain, it is ſaid, *That Seven thouſand names of men ſhall be ſlain*, *Rev.* 11. 13. Then the number of names here ſpoken of were Officers in the Chriſtian Church.

Secondly, If there may be found ſo many Officers then in the Chriſtian Church, then that hundred and twenty names were Officers in it; but there was then eleven Apoſtles, and ſeventy Diſciples ſent out by Chriſt before this, and the reſt of that hundred and twenty names were Teachers, which had accompanied Chriſt from the Baptiſm of *John*, until he was taken up, *Acts* 1. 21. And Chriſt Ordained more to Preach then the Eleven and the Seventy; for ſaith he to another, *Go thou, and Preach the Kingdom of God*, Luke 9. 60. Then this was was not an Independent Congregation belonging to one particular man.

Thirdly, If the Diſciples were then numberleſſe, then they muſt needs be more then a ſingle Congregation; but the Diſciples were then numberleſſe, for *John* Baptized all *Judea* and *Jeruſalem*, and all round about *Jordan*, *Mat.* 6. 5,6. and *Johns* Diſciples encreaſed ſo faſt, that the Prieſts and Phariſees durſt not ſay his Baptiſm was of men, for fear of the people, and *Herod* durſt not put him to death for fear of the people, *Mat.* 14. 5. 21, 23, 26. And Chriſt made more Diſciples then *John*, yea, they could not Baptize together their multitudes were ſo great, and the Phariſees ſaid, *Perceive you not how the World is gone after him*, John 3. 22, 23. 4. 1. 11. 19. *And people preſſed upon him to hear him Preach, and the Prieſts could not*

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destroy him for the people, Luke 4. 22. 5. 1. 19. 47. 48. Five thousand came at one time, and Seven thousand at another, besides women and children; and in the open field *Zacheus* could not see Christ for the multitudes, but was forced to climb up into a Tree to see him, *Luke* 19. 3. Then was all this but a single Congregation belonging to one man, and bearing the name of his Church.

Fourthly, If there was an Universal Officer to be chosen out of these men, and by these men, then it appears that they were all Officers before, as the seventy and the eleven, and others were, *Mark* 3. 14. & 6. 3. *Luke* 9 60. & 10. 1. Again, if it was an Independent Church, like one of these at *London*, then what should they have to do in the choyce of an Universal Officer, unlesse one Independent Church had power to chuse Officers for another, which will not be granted, for that would soon destroy all their Independent Churches which must be alone, having nothing to do with any other, nor they with them as a duty, only they may do something if they please upon courtisie, and they may chuse; then this was not such a one, while they chose an Officer out of themselves to serve elswhere, and not among themselves.

Let us see another instance; Suppose our Independents shall say, *That Church at* Jerusalem *that was persecuted and scattered abroad was an Independent Church*, Acts 8. 1. Upon this ground, saying, *They were but a small number, and single Congregation*: for say they, *If there had been such multitudes as I shewed before, then how could they be persecuted and scattered, and by whom were they so persecuted?* I Answer, That Church at *Jerusalem* was the Officers of the Church, and they were persecuted and scattered abroad, all but the Apostles, and this was done by the Rulers which did not believe in Christ, *John* 7. 48. and by *Saul* before his conversion, he was sent by the Priests to do it, *Acts* 8. 1. & 9. 1.

And the Officers may be called a Church Representative; for the Lord said to *Moses*, *Speak to all the Congregation*; and then he spake to the Elders of the Congregation, 12. 21. And Christ said, *Tell the Church*, which is meant, *Tell the Officers of the Church, who had both the Key of Doctrine, and the Key of Discipline delivered to them before*, *Mat.* 16. 18, 19. & 18. 17. So here the Church was persecuted and scattered abroad, that is, their Officers; for if all the Disciples had been scattered abroad, what should the Apostles do behinde? they would not tarry if they had none left to teach,

teach, nor durſt they tarry when there was none to harbor them, and who would or who durſt harbor them if all the Chriſtians had been ſcattered and fled? but there was Diſciples ſtill that did harbor them; yea, there was then many thouſand Believers in *Ieruſalem*, and this was preſently after that perſecution, as it were; with the ſame breath *Saul* perſecuted them, and was converted as he was going to the next Town, and came immediatly to *Ieruſalem*, and then there was many thouſand Believers in *Ieruſalem*, ſee *Acts* 8.1. & 9.1. compared with 21.20. Again, the Teachers were perſecuted, for they travelled as far as *Cyprus*, and *Phenice*, and *Antioch*, Preaching the Word of God, and they were called Prophets that came from *Ieruſalem* to *Antioch*, *Acts* 11. 19. & 21. 27. So then this Church was not an Independent Congregation, but the Elderſhip or Presbytery of Church-Officers, bearing the name of Church, they were perſecuted and ſcattered all abroad; but the Apoſtles, and the reaſon why the Apoſtles were not ſcattered as yet, was becauſe they were more known at *Ieruſalem* by doing of many Miracles then other Teachers, and more convinced their Adverſaries then others, by their ſpeaking all Languages, and wiſdom that was given to them; yet it is clear by what hath been ſaid, That it was not all the people, but Church-Officers that was perſecuted, who are frequently called the Church, as hath been ſhewed: Then here is not any footing for any Independent Congregations, therefore their Elderſhip is not *Jure Divino*, nor according to the will and appointment of Jeſus Chriſt.

Then let us take another inſtance; it may be they will ſay, *That Church was an Independent Church*, Acts 2.47. where it is ſaid, *The Lord added unto the Church daily ſuch as ſhall be ſaved*: For ſay they, *This was at the firſt planting of it, and then they were but few, for they were with one accord all in* Solomons *Porch*, Acts 5.12. But I ſay, The Diſciples were numberleſſe, as I have proved already; and that Church that was in *Solomons* Porch, was only the Church-Officers in a Presbytery, conſulting for the good of the whole multitude of Believers; for mark the next words, The Officers being in *Solomons* Porch, the reſt durſt not joyn with them, they being a Presbytery, advising for the good of the whole Church, only the people magnified them, ſee *Acts* 5. 13. Then here we may ſee, That Church-Officers being together in a Presbytery, are honored by the people; but do Independents thus, when they muſt

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all sit and vote with them, and in stead of honoring their Church-Officers in Presbyteries and Synods, they reproach them and vilifie them, and call them Antichristian Governors, much like *Korah* and his company; and it is a wonder if such men should dye the common death of men.

But then it may be they will say, *That Church unto which all Christians must be added, was the invisible Church.* I Answer, That is a truth, but not the true meaning of this Text; and it is plain this was the Universal visible Church; for when any was converted from false Religions to the true Religion, they were added to the Christian visible Church, as members of it; and thus the Lord added daily to the visible Church in the sight of all the people; then this Church could not be Independent, unto which all Christians were added daily; neither did any Minister gather to himself a Church, but all Ministers labored to gather Christians to the multitude, but not as our Independents do to their company from among other baptized Christians, and exclude all the rest, saying, *That they are all Antichristian Idolators, and without the Kingly Office of Christ, but his flock*; Then this was not an Independent Church, but a Presbyterial Church, consisting of many Officers and much people.

Again, this was not an Independent Church, for there were many Universal Officers in it; and if yet they affirm it to be an Independent Church, then I would know who had the peculiar charge of it, and who bare the name of it, & whose work alone was it to gather it, as they say, into a Church-way? Again, if this Church did belong to one man, as to *Peter*, *James*, or *John*, then why must all Christians be added to *Peters* Church, or *Iames's* Church, or *Iohns* Church, or else be damned? Must Mr. *Goodwins* Members be added to Mr. *Burtons* Church, or Mr. *Lockers* Members be added to Mr. *Helms* his Church, or be damned? Then in my judgement it were good to joyn Churches together betimes, by Presbyteries and Synods before it be too late: I say, let us joyn all the visible Congregations in the Kingdom together, and all to the Universal visible Church, and as our duty seek the welfare of each other; and this will soon split all Independent Churches, who are descended from that reprobate who said, *Am I my Brothers keeper.* These men are like the Inhabitants of *Laish*, a people that dwelt careless & secure, having no Magistrate in the Land to rule them or to put them to shame, and

They had no busineſs with any man, *Judges*, 18. 7. But let all faithful Chriſtians ſay with *Paul*, *The care of all the Churches lies upon me*, and rejoyce to hear the welfare of the Church in all places of the world, and grieve to hear that the walls of *Jeruſalem* are broken down; and if need require, with the Church of *Macedonia*, ſend relief to them in *Judea*, and abhor to ſay, *We are Independents, we have no relation to them, nor they to us, let them ſink or ſwim, we owe them no duty, well we may counſel them, and yet we may chuſe, and they alſo may chuſe whether they will take it*: Now let all judicious Chriſtians but judge, and ſpeak their conſcience, Whether Presbyterial or Independent Church Government is moſt agreeing to the Primitive Church, and be not careleſſe, but helpful one to another,; for all thoſe that are united to Chriſt, are alſo united one to another, and ſo have relation one to another, and ſtand in need of the help of each other: Then I conclude, That Congregational Presbyterial Elderſhip is not according to the Word, nor the Primitive Church, and therefore not *Iure Divino*. I might here ſpeak of the Churches of *Corinth*, *Galatia*, *Philippia*, and *Epheſus*, which were all governed by Presbyteries, and were none of them Independent, belonging to one man, bearing his name, and gathered by him, and he alone charged with it: But this may ſuffice.

The next thing in the firſt Queſtion to be proved, is, *Whether any particular Church Government be* Jure Divino, *and what is that Government?*

I ſhall anſwer this by dividing the Officers in the Church from the Officers in the State, and bounding them in their place and ſtation where Chriſt hath ſet them, and to prove, That the one hath a Divine Right of Government from Chriſt in the State, and not in the Church; and the other hath a Divine Right of Government in the Church, but not in the State: I prove it thus, Chriſt hath two Kingdoms, the one Temporal, and the other Spiritual: In the firſt he rules over the Kingdoms of men, as *Daniel* ſaith, *He is King of Kings, and Lord of Lords*, *Rev.* 19. 16. He ſaith, *By me Kings Raign*, *Prov.* 8. 15. Kings are his Deputies on Earth in this Temporal Kingdom, to Rule over the State, and outward affairs of men; and alſo in relation to the Church, they may be as a gard about it, to defend it by the power of their Poſitive Laws; and alſo they may be for much good unto it, for ſaith the Lord, *Cyrus is*

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my *Shepheard*, Isa. 44. both to provide and care for the Church, and defend it as a Shepheard doth his flock; Kings shall minister unto it, *Isa.* 60.10. But *Cyrus* was not placed in the Church, he was no member of it, for he was a Heathen King, yet he had the full power of a King in relation to the Church; and a Kings being a Christian addes nothing to him in point of Government in the Church, only his own benefit as a Christian to enjoy the priviledges of it among other Christians, when as *Cyrus* had not this benefit being a Heathen: So then his power is not in the Church, but about it, he may by the Laws of the Land command obedience to the Church, and by those Laws punish the disobedient, yet not as an Officer in the Church.

But then Christ hath another Kingdom, and that is Spiritual; he saith, *My Kingdom is not of this World, and they that worship him must worship him in Spirit and Truth*, the Father seeketh such to worship him, *Iohn* 4. 23, 24. & 18. 36. *For this Kingdom he hath Church Officers to govern it, every member hath not the same Office*, Rom. 12. 4. *The Office of a Bishop is a good work*, 1 Tim. 3. 1. *These Christ hath placed in the Church*, 1 Cor. 12. 28. *Aaron and his Sons shall wait on the Priests Office*, Numb. 3. 10. *In this Kingdom the Ministers are his Shepheards, and all sorts of men their flock, over which the Holy Ghost hath made them over-seers*, *Acts* 20. 28. And they are charged to feed their flock, and to care for it, and saith *Paul*, *The care of all the Churches lies upon me*; he was no Independent, they became Independents that said, *What portion have we in* David? *See to thine own house*, David: *to your Tents O* Israel. *So they departed to their Tents*, 1 King. 12.16. But I say, Church-Officers are placed by Christ in the Spiritual Kingdom the Church, as Kings and Magistrates are placed by him in the State, and not to stand there like cyphers to fill the place for no use, but to rule in it as the other do in the State, yet with this difference, Princes and Magistrates have power to make those Laws by which they Rule the State; for saith *Daniel*, *The Lord hath given thee a Kingdom*, Dan. 2.37. *And they consulted to establish a Royal Statute*, Dan.6.7. *He hath given the Earth to the Children of men*, Psal. 115. 16. But the Church was never so given to any, no not to her Officers and Rulers, they must not make Laws for it, nor repeal any that are made, *There is one Law-giver, Who is able to save and to destroy*, Jam. 4. 12. The Law of the Church is unalterable, like that of the *Medes*

and *Persians*, *Not one tittle of the Law shall fail*, Mat. 5. *Their King is eternal, and with them to the end of the world*, Mat. 28. 20. *And of his Kingdom there shall be no end*, Luke 1. 33. But Kings and Magistrates are placed by Christ in the Temporal Kingdom, there indeed they rule with Power and Authority, but they may not rule so in the other Kingdom, the Church of Christ, for these Reasons:

First, If Kings and Magistrates should rule in the Church, as Emperors rule the State, this were to dethrone Christ, who alone is placed and set by the Lord his King upon the holy hill of *Sion*, *Psal.* 2. 6. And what affront is done to his Officers in the Church, he takes as done to himself; and no man ought to usurp the Authority of Church Officers, any more then Church Officers ought to usurp the Office of Magistrates, for both must keep their place where Christ hath set them.

Secondly, If Magistrates should rule in the Church, as Officers in it, this would confound the Spiritual Kingdom of Christ, with the Kingdoms of men, when as Christ hath plainly divided them, *Dan.* 2. *John* 18 36. both by precept and example, commanding and also *giving to God the things of God, and to Cesar the things of Cesar*, Mat. 22. 21.

Thirdly, If State-Officers and Church-Officers were the same, and he that hath one hath both, then it would follow, That Christ and his Apostles both did and taught rebellion in all places where they came, when they set up Elders or Church Officers in every Church, *Acts* 14. 23. *And when Christ expounded the Law in his own name*, *Mat.* 5. But this were Blasphemy to affirm; for the Government of the Church of Christ is Spiritual, and allowed by Princes and Magistrates where ever they came, for they know that it did not intrench upon their Authority.

Fourthly, Church Officers have Gods Law for their rule, but Magistrates have the Laws of the Common-wealth for their rule; then they must keep their places, the one to rule in the Church Ministerially, because Christ their King is with them, *Mat.* 28. 20. and the other in the State with Majesty and Authority, because the God of Heaven hath given them a Kingdom, power and glory, *Dan.* 2. 37.

Fifthly, Many Kings and Magistrates are not so much as Members of the Church, but rather Enemies of it; and if they were Members, yet they were unworthy of that place, to rule in the Church, unless they were well skill'd in Divinity to rule in Religiously; but this were Treason to affirm.

Sixthly,

Sixthly, If Kings and Magiſtrates had power in the Church by vertue of their place, then they might obtain this power by War, or by Uſurpation, or Purchaſe, or by Inheritance, and ſo women would rule in the Church, that are not permitted to ſpeak in it, 1 *Cor.* 14.34. and children ſhould rule in the Church, when as a Biſhop muſt not be a Novice or a yong Scholler, 1 *Tim.* 3. and the meaneſt Officer in the Church muſt firſt be proved, before they be admitted, Verſ. 6.10.

Laſtly, If Magiſtrates power were in the Church, they muſt either have this power from being a Magiſtrate, or from being a Chriſtian; but if from being a Magiſtrate, then all Magiſtrates and Princes muſt have the like power to rule the Church, as well as they, or elſe they are not perfect Magiſtrates or Princes; and if they ſhould have power to rule in the Church, becauſe they are Chriſtians, then all other Chriſtians may rule in the Church as well as they, for all are one in *Chriſt*, *Gal*, 3.28. *Col.* 3.11.

Then Church Officers, together with their Names and Offices, are not to be created nor appointed by the Parliament as their creatures, when as themſelves are not Church Officers; and if they were, yet they have no power to give Titles, Names, Offices or Officers in the Church, for that is peculiar to *Jeſus Chriſt the King of his Church*, Eph. 4.11. and from him all Church Officers have both their Names and Offices immediatly, and therefore Church-Officers are *Iure Divino*, and that for theſe Reaſons:

Firſt, If Church-Officers are placed by Chriſt in the Church, then they are not of Humane Inſtitution, but of Divine Right; but *Chriſt* hath ſet ſome in the Church Apoſtles, Prophets, Teachers, helps or Deacons, 1 *Cor.* 12.28. then they being ſo placed by *Chriſt* in the Church, they are *Iure Divino*.

Secondly, If it was both the Apoſtles command, and alſo their practiſe to ſet up Elders in every Church, then Elders are *Iure Divino*, of Divine Inſtitution; but *Paul* left *Titus* in *Creet*, to ſet in order things that were wanting, and to Ordain Elders in every city as he had appointed, *Tit.* 1.5. And theſe were not Magiſtrates, for ſuch were before in every city; but theſe were then wanting which *Paul* from *Chriſt* appointed *Titus* to Ordain in every city; neither were the Miniſters to Ordain and ſet up Magiſtrates, and yet by their own practiſe they did Ordain Elders in every Church, *Acts* 14.23. then they are not of Humane, but of Divine Inſtitution.

Thirdly,

Thirdly, If both the key of Doctrine, and of Diſcipline were given to Church Officers by Ieſus Chriſt, then they alone have a Divine Right to uſe them; but the keys were not given to the whole Church, but to the Officers, for ſaith *Chriſt* to *Peter, To thee will I give the Keys*, Mat. 16. 19. *And whatſoever the Church-Officers ſhall binde on Earth ſhall be bound in Heaven*; *and what they looſe on Earth ſhall be looſed in Heaven, Chap.* 18. *v.* 17, 18. *And what ſins ye remit ſhall be remitted, and what ſins ye retain ſhall be retained*, Iohn 20. 23. Then they alone have a Divine Right to uſe them.

Fourthly, If Chriſt commanded the Church to obey thoſe that have the rule over them, in the Church, and not in the State, then ſuch only are to rule in the Church: But ſaith *Paul, Obey them who alſo have ſpoken unto you the Word of God, & they that watch for your ſouls, as they that muſt give an account*; neither muſt all the Saints rule in the Church, for ſaith *Paul, Salute them that have the rule over you, and all the Saints, Heb.* 13. 17, 24. then they are of Divine Inſtitution, and muſt rule in the Church, and take care for it as for their own houſe, 1 *Tim.* 3. 4 5.

5. If the Chriſtian Church had thoſe Officers placed in it by Chriſt and his Apoſtles before they had any Magiſtrates, or any humane Laws in it, then they are of Divine Inſtitution, and no Magiſtrates ought to take that from them which Chriſt gave them before they had any Magiſtrates in the Chriſtian Church; but they choſe and ordained Elders in every Church before they had any Magiſtrates, *Acts* 14. 23. then they are not of Humane, but of Divine Inſtitution.

Sixthly, This Diſcipline was in the hand of Church-Officers, if they onely were blamed if it was neglected: But the Lord ſaid to Church-Officers, *I have ſomething againſt thee, becauſe thou ſuffereſt that Woman Iezebel to teach, and to ſeduce my ſervants, and others were blamed, becauſe there was ſome among them that held the Doctrine of Balaam*, Rev. 2. 14 20. Then here it is plain that both the Key of Doctrine, and the Key of Diſcipline are in the hand of Church Officers by Divine Inſtitution.

Seventhly, If this Diſcipline was ever in the hand of Church-Officers, it ought to be ſo ſtill: But, ſaith *Paul, I have delivered Hymeneus and Alexander to Satan, that they may learn not to blaſpheme*, 1 Tim. 1. 20. and concerning the Inceſtuous perſon he ſaith,

I have

I have judged already, and do not ye judge those that are within, cast out therefore that wicked person, 1 Cor. 5. 3, 12, 13. And if any say that all must judge from this Text: I Answer, All are to refer it to the Presbytery, but sufficient is that punishment that was inflicted by many, not by all, 2 *Cor.* 2. 6. Christ gave his life a ransome for many, not for all, *Mat.* 20. 28. Again, saith *Paul*, a Church-Officer, *He that troubleth you shall bear his judgement, whoever he be*, Gal. 5. 10 Then this may suffice to answer the first Question, That the Presbyterial Elderships are *Iure Divino*: yet if any be not fully satisfied, I shal yet make it more clearly appear by answering a question, thus,

Suppose there should be any disturbance in the Church assembled for the publike Worship of God, by some Drunkard or mad man, or any Heretick, either by Sporting, or by Railing, or Seducing, or any abominable action: where lyes the power to suppresse it? Is it in the Magistrates, or in Church-Officers? I answer, It is in the hand or power of Church-Officers, first, because they were charged to keep the door, that there may be no such occasion of disturbance in the midst of Divine Worship, 2 *Chron.* 26. 12, 19.

Secondly, this power was in the hand of Church-Officers; for when *Uzziah* the King would needs burn Incense, the valiant Priests bade him go out of the Sanctuary, and cut him off from the house of the Lord: Neither was this because he was leaprous, but because he offered Incense; and as they were thrusting him out, his leprosie appeared, 2 *Chro.* 26. 17, 18, 21. and when they were weeping publikely for the abominable whoredom with the daughters of *Moab*, there was such an action committed in the assembly in the sight of *Moses*, mark that, yet *Phinehas* the Priest executed justice, and the wrath of the Lord was pacified, *Num.* 25. And when *Elies* Sons lay with the women when they assembled at the Tabernacle door, and he did not restrain them, the Lord slew all his whole house, and that sin could never be purged with Sacrifice, 1 *Sam.* 2. 22. and 3. 13. 14. Then if the Lord was so well pleased with *Phineas* the Priest for his justice, and so offended with *Eli* the Priest for neglecting of it, when committed in the congregation, then the power to suppresse such abominations committed in the assembly, is in the hand of Church-Officers. Again, when there was buying and selling in the Church, Christ drave them out, because the Lord said, *My house shall be called the house of Prayer.*

Thirdly, when Israel committed Idolatry not onely in private, but

but in the Aſſembly, the Lord cauſed *Moſes* to cull out thoſe that were on his ſide, and ſheath their Swords in thoſe Idolaters, and the Levites came forth and did ſo, and the Lord for that very action put them into the Miniſtry: Then it is plain, the Lord would have the Church Diſcipline in the hand of Church-Officers, they muſt keep the Ordinances of Chriſt from pollution: and thoſe that do not rule well their own houſe, are not fit to take care for the Church of God, 1 *Tim.* 3. 5. as if he ſhould ſay, That man that is negligent to uſe Family-Diſcipline, is not fit to be made a Church-Officer, leſt he neglect the Church Diſcipline; yet all this hinders not, but that Magiſtrates may puniſh all manner of wickedneſſe in the State, if their Poſitive Laws will reach it, but not elſe; yet I ſay, Church-Officers are charged to keep the Ordinances of Chriſt from pollution, and for that end they are placed by him in the Church by Divine Inſtitution.

The Parliaments ſecond Queſtion is *Whether all the Members of the ſaid Elderſhips, as Members thereof, or which of them are* Jure Divino, *and by the Will and appointment of Ieſus Chriſt?*

I anſwer, as before, The Independent Elderſhips are not of Divine Inſtitution, becauſe their Congregations are not; but all the Members of every Presbytery or Elderſhip, they have this Diſcipline committed unto them, for what was ſaid to *Peter* was ſaid to all the Miniſtery, *Mat.* 16. *Ioh.* 20. 23. Then I conclude that all the Members in the Presbytery, ſo called by *Paul*, 1 *Tim.* 4. 14. *The ſtate of Elders*, *Acts* 22. 5. And it is called, *The Aſſembly of the Elders*, Pſa. 107. 32. Therefore they are all *Iure Divino*, by the will and appointment of Ieſus Chriſt.

But it may be ſome Independent will ask, *Why their Congregation belonging to one man is not of Divine Inſtitution, as well as a Presbyterial Congregation belonging to one man?* I anſwer, There is this difference: The Presbyterial Congregation is a part of the Univerſal viſible Church, as a branch of it, which is deſcended from the firſt Chriſtian Church, although it paſſed under Antichriſt, and ſo was defiled; yet ſtill God had his Church amongſt Papiſts, and at the length brought it out of *Babylon* by *Luther* and others; and our Miniſters are deſcended from the Apoſtles, whom Chriſt Ordained to Preach, *Mark* 3. 14. And they were ſent into all Nations to convert men to the Chriſtian Faith, and they alſo Ordained Elders in every Church, in every City or Town, *Acts* 14. 23. And after them they

they left others in their place to do it, *Tit.* 1. 5. And thus Church-Officers were Ordained by them of their own calling ſucceſſively ever ſince, although they paſſed under Antichriſt till *Luther* renounced them, and by him and others was brought out what they had from Chriſt, and left what was of their own Invention, and he cauſed them to proteſt againſt *Babylon*, and ſo they were firſt called Proteſtants: And then in *Calvins* time they made a Covenant to ſet up the true Diſcipline of Ieſus Chriſt; and we in this Kingdom have done the like, both by a Proteſtation againſt Popery, and a Covenant to ſet up the Diſcipline of Ieſus Chriſt; therefore our Congregations are of Divine Inſtitution; but Independent Congregations original deſcent is but from themſelves, and that within this few yeers to our knowledge Tradeſmen have gathered many Churches; but who ſent thoſe Tradeſmen to Preach? and how can they Preach unleſſe they be ſent, *Rom.* 10.14,15. By what Authority do they Preach, and who gave them that Authority? *Chriſt taught as one having Authority*, Mat. 21. 23,24. & 7. 29. Then Independent Congregations are not of Divine Inſtitution.

But they will ſay, *That our Pariſhes remain ſtill as they did under Antichriſt.* I anſwer, Pariſhes were divided for better convenience of Publike Worſhip before Antichriſt was in being, when the Apoſtles gave order to ſet up Elders in every city, *Tit.* 1.5. and they were bounded within a Sabboth dayes Iourney for Publike Worſhip, *Acts* 1. 12. And now Prelats caſt out, our Pariſhes remain in that firſt Inſtitution, for thoſe Elders were bounded to that town or city where they were ſet up; but Independent Congregations are boundleſſe, their Members thirty or fourty miles aſunder, that they cannot congregate together; therefore they are not of Divine Inſtitution.

The Parliaments third queſtion is, *Whether the Supreme Aſſemblies or Elderſhips, viz. The Claſſical, Provincial and National*; *Whether all, or any of them, and which of them are* Iure Divino, *and by the appointment of Jeſus Chriſt?* Their fourth queſtion is, *Whether Appeals from Congregational Elderſhips to the Claſſical, Provincial and National Aſſemblies, or to any of them, and to which of them are* Iure Divino, *and by the will and appointment of Jeſus Chriſt*; *And are their Powers upon ſuch Appeals* Iure Divino, *and by the will and appointment of Jeſus Chriſt?* Their fifth queſtion is, *Whether Oecumenical Aſſemblies are* Iure Divino; *And whether there be Appeals from any of the former Aſſemblies to the ſaid Oecumenical* Iure Divino, *and by the will and appointment of Jeſus Chriſt?*

Now the ſubſtance contained in theſe three queſtions is this; Firſt, Whether Claſſical, Provincial, National or Oecumenical Elderſhips or Aſſemblies be *Iure Divino*? Secondly, Whether Appeals from Congregational Elderſhips to Claſſical, Provincial and National Aſſemblies are *Iure Divino*, or which of them, or any of them to Oecumenical be *Iure Divino*; and are their Powers upon ſuch Appeals *Iure Divino*, by the will and appointment of Ieſus Chriſt?

To the firſt of theſe I have ſufficiently proved, That the Aſſembly of Elders and Presbytery are Scripture Names, *Pſal.* 107. 32. 1 *Tim.* 4. 14. And theſe I have ſhewed, that they are frequently called the Church, becauſe they do repreſent it: And now I ſhall prove, That Appeals from the leſſer Elderſhips to the greater, is according to the Word of God, and that their power is of Divine Right, to ſuppreſſe Error and prophaneneſſe, in caſe the Magiſtrate will

not

not by his Positive Laws, or to cast them out of the Church, rather then the Ordinances of Christ should be polluted: I prove it thus, If there was Assemblies of Church Officers in the Christian Church, who met together for this end, then they ought to do so still; and if there was Appeals from the lesser of those Assemblies to the greater in the Primitive Church, it ought to be so still; and if those Assemblies had power to make Decrees, and passe Sentence, and to binde several Churches to obey them, it ought to be so still, for we and all Christians pretend to be under the same Discipline of Christ as they were; but some in the Christian Church at *Antioch* would still observe *Iewish* Ceremonies, and they had no small Disputation about it, and yet could not suppresse it being parties; therefore they determined to send *Paul* and *Barnabas* to *Ierusalem*, not to a single Congregation for advice and councel, but to the Assembly of Apostles and Elders who came together to consider of that matter, *Acts* 15. 1,2,6. And I think there was but two Apostles there, and so there was at *Antioch*, only they were parties, and so they were not at *Ierusalem*: But some will say, *If that if they will not come to the Assembly or Eldership, how then can they suppresse Error or Prophaneneſſe?* I answer, The Magistrate must by his Positive Laws command obedience to the Church; and in case they will not obey the Magistrate, he must punish them by his Positive Laws; but in case the Magistrate will not do it, then the Church-Officers have power to cast them out, to keep the Ordinances of Christ from pollution: So then if the Magistrate do his part, and Assemblies of Church-Officers also do theirs, this will sweetly settle peace among the Churches; and this is according to the Word of Christ, and therefore of Divine Institution: And for the Names of those Assemblies, let them be called by any names of distinction, and it sufficeth; I hope we shall not contend about Names, but rather labor for peace and a sweet enjoyment of all the mercies of God both in Church and State.

The sixth Question is this, *Whether by the Word of God, the power of Judging and declaring what are such Notorious and Scandalous Offences, for which persons guilty thereof are to be kept from the Sacrament of the Lords Supper, and of Conventing before them, trying and actual suspending from the Sacrament of the Lords Supper such Offenders accordingly, is either in the Congregational Eldership or Presbytery, or in any other Eldership, Congregation or Persons? And whether such powers are in them only, or any of them, and in which of them* Iure Diviuo, *and by the will and appointment of Jesus Christ?*

I answer to the first part of this question, That Church Officers by the perfect rule of Gods Word, have power to judge and declare what sins are Scandalous, for which those that are guilty are to be punished by the Magistrate; but in case he will not do his duty, then for the same, Church-Officers have power to cast them out of the Church, to keep the Ordinances of Christ from pollution; some of them *Paul* mentions before his Institution of the Lords Supper, 1 *Cor.* 11. such as these, as, Drunkenneſſe, Hereſie, Divisions, and Contentions, and men wearing long hair, and women with the hair cut or uncovered, all these must be Reformed, for these are Scandalous; and then there are inward sins, as, Ignorance, not discerning the Lords body; but the communicants must examine themselves of this, and so let them Eat, they are

not

not to be cast out for Ignorance, all did eat the Passeover, and all them in the Primitive Church did receive the Supper, *Acts* 2. 46. & 20. 7. Neither do I finde any such thing in Scripture, as suspension from one Ordinance when they freely enjoy all the rest: Neither do I finde such trying and conventing, as in civil Courts, they are not to cast out for private sins; when a private trespasse was brought to the Church Officers, *Matth.* 18. 17. they could not cast him out, but said to the Plaintiff, *Let him be to thee as a Heathen or a Publican*, that is, *Do thou keep no company with him*: Church-Officers must say as the Lord did, *I have not found it by secret search*, Ier. 2. 34. But when they declare their sin, as *Sodom*, and hide it not, *Isa.* 3. 9. As *Elies* Sons did, to make the offerings of the Lord to be abhorr'd, 1 *Sam.* 22. 17. And when *Phineas* the Priest slew *Zimry* and *Cozby*, *Numb* 25. And when *Uzzah* was cast out of the House of the Lord, 2 *Chron.* 26. 21, And Christ whipt them out of the Temple; all these need no witnesse, but were cast out, all but *Elies* Sons, and because *Ely* the Priest did not do it to his Sons, the Lord utterly cut off *Elies* house

The next thing in this question is, *In whose hand is this Power?* To this I have answered, In the hand of the Presbytery or Church Officers: If the person be Scandalous to many Congregations, the greater Presbytery is to cast him out; but if in some Country town there be but one Church, and the parties haune be no further, I suppose they may cast him out of their Church, and not to suffer him to abuse the Ordinances of Christ; but no other hath this power, neither Independent Congregations nor Prelats; for Presbyterial Church-Officers are only *Jure Divino*, and by the will and appointment of Iesus Christ.

The seventh question is, *Whether there be any certain and particular Rules expressed in the Word of God, to direct the Elderships or Presbyteries, Congregations or Persons, or any of them, in the Exercise and Execution of the Powers aforesaid, and what are those Rules?*

I answer, *Paul* saith in the Name of all Church-Officers, *We will not boast of things without our measure, but according to the measure of the rule which God hath distributed to us*, 2 *Cor.* 10. 13. Then here all may see that they have a Rule, and he saith, *Let us walk by the same rule*, Phil. 3. 16. *And as many as walk according to this Rule, Peace be unto them*, Gal. 6. 16. Now by this Rule *Paul* judged, though absent, that the Incestuous person should be cast out, and by the same Rule the Church-Officers of *Corinth* cast him out, 1 *Cor.* 5. 3. 12, 13. And if any shall say he spake to all in the Church: I answer, It was to give their consent, but that punishment was to be inflicted by many, but not by all; see the same man cast out, 2 *Cor.* 2. 6. And he cast out *Hymeneus* and *Philetus* for blasphemy; yet I suppose there was others with him, though he passed the sentence, 1 *Tim.* 1. 20. And saith *Paul*, *He that troubleth you with the leven of Heresie, shall bear his judgement whoever he be, and I have confidence in you through the Lord Jesus, that you will be none otherwise minded, but give your consent: I would they were cut off that trouble you*, Gal. 5. 9, 10, 11, 12.

The eighth question is this, *Is there any thing contained in the Word of God, that the Supreme Magistracy in a Christian State may not judge and determine what are the aforesaid Notorious and Scandalous Offences, and the manner of Suspension for the same; and in what particulars concerning the Premises is the said Supreme Magistracy by the Word of God, excluded?*

I anſwer, The Supreme Magiſtracy is to judge and determine of the ſame ſins by the Poſitive Laws of the Land, and puniſh the Offenders according to thoſe Laws, in the Temporal Kingdom of Chriſt; but he may not judge and determine of them in the Church, about caſting out by Excommunication, that is, the Spiritual Kingdom of Chriſt, and his Church Officers are Spiritual Officers, and therein State Officers are excluded, as I ſhewed before.

The ninth queſtion is, *Whether the proviſion of Commiſſioners to judge of Scandals not enumerated, as they are Authorized by the Ordinance of Parliament, be contrary to that way of Government which Chriſt hath appointed in his Church, and wherein they are ſo contrary?*

I anſwer, That Chriſt alone is to give both Offices and Officers, and alſo their names; but Chriſt never gave any ſuch for his Church as Commiſſioners, neither muſt Parliaments create any Names, or Offices or Officers, as their creatures, to be ſet up, and appointed their work in the Church, it is a great affront to Chriſt the King of the Church to do it: It is obſervable, *David* ſaith, *Chriſt received gifts for men*, Pſal. 68 18. And then *Paul* ſaith, *He gave gifts to men*, Eph. 4. 11. So then Chriſt as Mediator received thoſe gifts of his Father, and then gave them to his Church; but there is but one Mediator between God and man, the man Chriſt Jeſus, 1 *Tim.* 2. 5. Then there was none but he that received thoſe gifts for the Church; and therefore no other can give them. Again, the Authority of the Parliament will not bear them out, when Chriſt will diſclaim them as Vſurpers, whom he never placed in the Church: And what profit or bleſſing to the Church can be expected from thoſe that Chriſt never ſent nor placed in the Church. Again, the Parliament that ſent them, are themſelves placed by Chriſt in his Temporal Kingdom, the State or Common-wealth, to govern that, and place Officers in it; but they may not Ordain Church-Officers, that muſt be done by Church-Officers, and that ſucceſſively from Chriſt, who firſt Ordained the Twelve, and then the Seventy; and then the Twelve being ſent to all Nations after his death, they did Ordain Elders in every Church, *Acts* 14. 23. And then they left others to Ordain Elders ſucceſſively: Saith *Paul*, *I left thee to Ordain Elders in every Church*, Tit. 1. 5. And ſo it hath been by them ſucceſſively to this day: Then I conclude, That for State-Officers either to Ordain Elders, which ought to be in the Church, or to create new Officers in the Church, is contrary to that way of Government which Chriſt hath appointed in his Church, and I have ſhewed wherein it is ſo contrary.

The tenth and laſt is onely a perſwaſion that thoſe of the Aſſembly would ſet down their Names, together with their Votes, whether Affirmative or Negative to thoſe former particulars, and the clear Texts of Scripture on which their Opinions are grounded: Now none but the laſt concerns me, which I have done; and if the Lord be pleaſed to ſet it home to the ſoul, it may be conviction and ſatisfaction to it.

FINIS.